

Application No. 10/080,003  
Amdt. dated December 9, 2005  
Reply to Office Action of July 14, 2005

**Amendments to the Claims:**

1. (Previously Presented) 9-nitrocamptothecin in crystal form C wherein the crystal form C is characterizable as having, by differential scanning calorimetry, no observable endotherm and an exotherm at between 273.6 and 275.6 °C, a solution NMR spectrum with multiplets at 1.7 and 3.7 ppm shifts, and an X-ray powder diffraction pattern with diffraction lines at  $2\theta$  values 6.7, 12.5, 14.0 and 23.9 for Cu  $K\alpha$  radiation of wavelength 1.5406 Angstrom.
2. (Previously Presented) The 9-nitrocamptothecin crystal form according to claim 1, wherein the crystal form is further characterizable as having an exotherm by differential scanning calorimetry at between 274.1 and 275.1 °C.
3. (Previously Presented) The 9-nitrocamptothecin crystal form according to claim 1, wherein the crystal form is further characterizable as having an exotherm by differential scanning calorimetry at between 274.4 and 274.8 °C.
4. (Previously Presented) The 9-nitrocamptothecin crystal form according to claim 1, wherein the crystal form is further characterizable as having an exotherm by differential scanning calorimetry at between 274.5 and 274.7 °C.
- 5-8. (Canceled)
9. (Previously Presented) The 9-nitrocamptothecin crystal form according to claim 1, wherein the crystal form is crystallized from tetrahydrofuran.
- 10-13. (Canceled)
14. (Currently Amended) A pharmaceutical composition in a solid dosage form comprising:  
a powdered pharmaceutical carrier; and 9-nitrocamptothecin in crystal form C, wherein the crystal form is characterizable as having, by differential scanning calorimetry, no observable endotherm and an exotherm at between 273.6 and 275.6 °C, a solution NMR spectrum with

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multiplets at 1.7 and 3.7 ppm shifts, and an X-ray powder diffraction pattern with diffraction lines at  $^{\circ}2\theta$  values 6.7, 12.5, 14.0 and 23.9 for Cu  $K\alpha$  radiation of wavelength 1.5406 Angstrom.

15. (Previously Presented) The pharmaceutical composition according to claim 14, wherein the crystal form is further characterizable as having an exotherm by differential scanning calorimetry at between 274.1 and 275.1  $^{\circ}\text{C}$ .

16. (Previously Presented) The pharmaceutical composition according to claim 14, wherein the crystal form is further characterizable as having an exotherm by differential scanning calorimetry at between 274.4 and 274.8  $^{\circ}\text{C}$ .

17. (Previously Presented) The pharmaceutical composition according to claim 14, wherein the crystal form is further characterizable as having an exotherm by differential scanning calorimetry at between 274.5 and 274.7  $^{\circ}\text{C}$ .

18-25. (Canceled)

26. (Previously Presented) A method of preparing 9-nitrocamptothecin in crystal form C as in claim 1, the method comprising:  
crystallizing 9-nitrocamptothecin from tetrahydrofuran.

27. (Previously Presented) The method according to claim 26, wherein the crystal form is characterizable as having, by differential scanning calorimetry, no observable endotherm and an exotherm at between 273.6 and 275.6  $^{\circ}\text{C}$ , a solution NMR spectrum with multiplets at 1.7 and 3.7 ppm shifts, and an X-ray powder diffraction pattern with diffraction lines at  $^{\circ}2\theta$  values 6.7, 12.5, 14.0 and 23.9 for Cu  $K\alpha$  radiation of wavelength 1.5406 Angstrom.

28-30. (Canceled)